

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

05 Civ. 2029 (ILG)

DONALD J. CRANSTON, JR., JOSEPH MORANDE, ANTHONY FASULO, DAVID MONTELLE, ROCCO CIANCIO and LUCIANO FALZONE, as Trustees and Fiduciaries of the PAVERS AND ROAD BUILDERS DISTRICT COUNCIL WELFARE, PENSION, ANNUITY AND APPRENTICESHIP, SKILL IMPROVEMENT AND TRAINING FUNDS,

Plaintiffs,

-against-

DEMICO BROS., INC.,

Defendant.

PLEASE TAKE NOTICE that, pursuant to Fed. Civ. P. Rule 41(a)(1)(i), the above-captioned action be and hereby is dismissed in its entirety.

Dated: New York, New York
July 6, 2005

BARNES, IACCARINO, VIRGINIA,
AMBINDER & SHEPHERD, PLLC

By:

Judy Wong (JW 1531)
Trinity Centre
111 Broadway, Suite 1403
New York, N.Y. 10006
(212) 943-9080
Attorneys for Plaintiffs

SO ORDERED:

U.S.D.J.

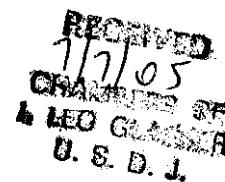
7/7/05

Barnes, Iaccarino, Virginia, Ambinder & Shepherd, PLLC
ATTORNEYS AT LAW

ROY BARNES*
RICCARDO IACCARINO
CHARLES R. VIRGINIA**
LLOYD R. AMBINDER**
WENDELL V. SHEPHERD

SCOTT AURNOU
MICHELLE T. BAGINSKI
DENNIS M. CARIELLO
DANIELLE CERONE
SUSAN GHIM
DANA HENKE†
STEVEN KERN††
YONGMIN OH
ADRIENNE PAULE
JUDY S. WONG

Trinity Centre
111 Broadway
Suite 1403
New York, New York 10006
(212) 943-9080
Fax: (212) 943-9082



258 Saw Mill River Road
Elmsford, New York 10523
(914) 592-5740
Fax: (914) 592-3213

3 Surrey Lane
Hempstead, New York 11550
(516) 483-2990
Fax: (516) 483-0566

OF COUNSEL:
Giacchino J. Russo, Esq.
Kathleen A. McGoldrick, Esq.
Albert Rodrigues, Esq.

July 6, 2005

VIA ECF & U.S. MAIL

Honorable I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

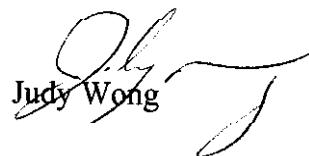
Re: Cranston, et al. v. DeMicco, 05 Civ. 2029 (ILG)

Dear Judge Glasser:

This firm represents the plaintiff trustees in the above-referenced matter. Please find enclosed a courtesy hard copy of the Notice of Dismissal filed electronically with the Court.

Thank you for your attention.

Very truly yours,



Judy Wong

Encl.

cc: Anthony J. Franco